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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/819,723

03/29/2001

Tawei Lin

FAM 129

4346

7590

10/01/2004

RABIN & CHAMPAGNE, P.C.
Suite 500
1101 14th Street, N.W.
Washington, DC 20005

EXAMINER

DESIRE, GREGORY M

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,723

Applicant(s)

LIN, TAWEI

Examiner

Gregory M. Desire

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6,523,039).

Regarding claims 1, 2 and 3 Chen discloses,

A database connected to said host, one or more terminals, and a communication system for connecting said one or more terminals to said host (note col. 3 lines 50-53 and 65-67 information supply system includes a database connect to a user, internet connection connects one or more terminals to said user);

Said host including interfaces that can be provided to said one or more terminals for users at said terminal to enter surnames and given names in a selected language said selected language via said interface (note user 30, inherent user to be host computer includes a keyboard (interface), it is well known that a computer can select a language for operation, user can input first and last name using the computer).

Said database storing data concerning implied meaning of different surnames and given names in any language as defined in accordance with traditional fortune

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telling theories, and being capable of comparing an entered name with said stored data to locate any of said data corresponding to said entered name for use as an basis for conducting said fortune telling and character analysis (note col. 4 lines 6-10, fortune record database stores the content or process of fortune analysis program, claims describe fortune analysis programs of the instant application (fortune telling and character analysis of different surnames and given names); and

Said one or more terminals being connected to said host via said communicating system and being capable of receiving interfaces the same as that provided by said host from user to enter a surname and given name at any of said terminals (note col. 3 lines 65-67, lines cite user connected through the internet, it is inherent that a user having access to internet communicates and receive interfaces from user via web page);

Whereby when a user enter a surname and a given name in any language at any one of said terminals via said interface provided by said host to said terminal, said host receives said entered surname and given name, and said database compares said entered surname and given name with said database stored in said database to locate any data showing implied meanings of said entered surname and given name defined by traditional Chinese fortune telling theories, and provides a judgment on good or bad sign possibly represented by said entered surname and given name by analyzing said implied meanings thereof (note col. 4 lines 20-35, user registering information includes entering a full name, from the information runs a fortune analysis, which is Chinese

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fortune telling is a fortune analysis. It is inherent in fortune analysis to provide good or bad signs).

As to Chen entering surname defined by traditional Chinese fortune telling the examiner takes official notice. Chinese fortune telling using characters is well known. It would have been obvious to one having ordinary skills in the art to include traditional fortune telling. Chen stores user information including names and using traditional Chinese fortune telling would provide efficient fortune analysis.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625



G.D.
September 30, 2004